

BACR, T

BROWN GAVALAS & FROMM LLP  
Attorneys for Plaintiff  
CASTLETON MARITIME CORP.  
355 Lexington Avenue  
New York, New York 10017  
212-983-8500

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 7-13-07

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CASTLETON MARITIME CORP.,

Plaintiff,

-against-

BENEMAR CHARTERING LTD.,

Defendant.

-----X

07 Civ. 6309 (htb)

**EX PARTE ORDER FOR  
PROCESS OF MARITIME ATTACHMENT**

**WHEREAS**, on July 10, 2007 Plaintiff, CASTLETON MARITIME CORP. filed a Verified Complaint herein for damages amounting to \$145,765.74, inclusive of interest, costs and reasonable attorney's fees, and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

**WHEREAS**, the Process of Maritime Attachment and Garnishment would command that the United States Marshal, or other designated process server, attach any and all of Defendant's property within the District of this Court; and

**WHEREAS**, the Court has reviewed the Verified Complaint and the supporting Affidavit, and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

**ORDERED**, that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for the Defendant by any garnishees within this District, including but not limited to American Express Bank Ltd.;

ABN-AMRO Bank; BNP New York; HSBC Bank; Bank of America; Bank of New York; J.P. Morgan Chase; Citibank; Standard Chartered PLC; HSBC Bank; Bank of China; Mashreq Bank; Deutsche Bank; and Wachovia Bank, which are believed to be due and owing to the Defendant in an amount up to and including \$145,765.74, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure and section 8 of the United States Arbitration Act, 9 U.S.C. §8; and it is further

**ORDERED** that, in addition to the United States Marshal, Process of Maritime Attachment and Garnishment may be served by any individual over 18 years old who is not a party in the case; and it is further

**ORDERED** that, following initial service by the United States Marshal or other designated process server upon each garnishee, supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile or electronic mail transmission to each garnishee; and it is further

**ORDERED** that service on any garnishee as described above is deemed effective, continuous service throughout the day from the time of such service through the opening of the garnishee's business the next business day; and it is further

**ORDERED** that any person claiming an interest in the property attached or garnished pursuant to said order shall, upon application to the court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

**ORDERED** that supplemental process enforcing the Court's Order may be issued by the Clerk upon application from Plaintiff without further Order of the Court; and it is further

**ORDERED** that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: New York, New York  
July 13, 2007

SO ORDERED:

U.S.D.S.

A CERTIFIED COPY  
J. MICHAEL McMAHON,

CLERK

BY J. Michael McMahon  
DEPUTY CLERK